



Order 97-6-12

Served: June 9, 1997

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation
on the 9th day of June, 1997

Applications of

EL AL ISRAEL AIRLINES, LTD.

for renewal of exemptions under
49 U.S.C. section 40109

Dockets **OST-95-472 (47986)**
OST-97-2547 (48826)

ORDER VACATING ORDER 97-6-6

Summary

In this order we are vacating Order 97-6-6, which otherwise would have withdrawn, effective June 11, 1997, authority held by El Al Israel Airlines (El Al) to engage in scheduled foreign air transportation of persons, property and mail between Israel, on the one hand, and (1) Washington, D.C./Baltimore, Maryland, (2) Dallas/Fort Worth, Texas, and (3) Orlando, Florida, on the other hand.

Discussion

In Order 97-6-6, we finalized show-cause Order 97-5-18 and denied, effective June 11, 1997, El Al's pending applications to renew extrabilateral exemption authority to serve the markets noted above, such action having the effect of terminating the authority held by El Al to conduct services in those markets. Our action was in response to Israel's refusal to permit Tower Air, Inc., a

designated U.S. carrier, to conduct Athens-Tel Aviv service, a right available to it under the U.S.-Israel bilateral aviation agreement, until after this year's peak summer season.

On June 9, 1997, we received official notification that the Government of Israel had accorded Tower the necessary authority immediately to operate its Tel Aviv service as requested. Tower has confirmed to us that it has received the desired authorization.

Against this background, we find that it is in the public interest to vacate Order 97-6-6, and to restore the original status of the applications filed by El Al on June 1 and 10, 1994, requesting renewal of its Washington/Baltimore, Dallas/Fort Worth, and Orlando exemptions. Specifically, in light of our action here, El Al's renewal applications in Dockets OST-95-472 and OST-97-2547 remain pending, and El Al's authority to engage in scheduled foreign air transportation of persons, property and mail between Israel, on the one hand, and (1) Washington, D.C./Baltimore, Maryland, (2) Dallas/Fort Worth, Texas, and (3) Orlando, Florida, on the other hand, will continue in effect under the automatic extension provisions of the Administrative Procedure Act (5 U.S.C. 558(c)) as provided by the Department's regulations (14 CFR 377.10).

ACCORDINGLY,

1. We vacate Order 97-6-6; and
2. We will serve a copy of this order on El Al Israel Airlines, Ltd., Tower Air, Inc., United Air Lines, Inc., Northwest Airlines, Inc., North American Airlines, Inc., the State of Maryland, the Greater Orlando Aviation Authority, the Ambassador of Israel in Washington, D.C., and the Department of State.

By:

CHARLES A. HUNNICUTT
Assistant Secretary for Aviation
and International Affairs

(SEAL)